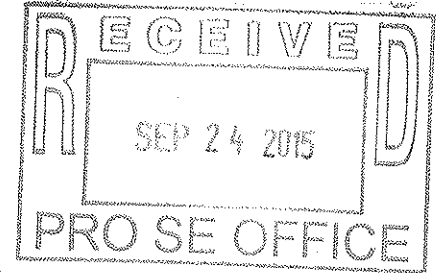


CIVIL RIGHTS COMPLAINT
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COGAN, J.

Robert Anton Williams Jr.
Full name of plaintiff/prisoner ID#



Plaintiff,

JURY DEMAND

YES ☒ NO ☐

-against-

① Detective Niarca Quinones shield # 3310

② Detective Hector Bruno

③ Detective Smolarsky (Sgt)

Enter full names of defendants

[Make sure those listed above are
identical to those listed in Part III.]

④ The State of New York

⑤ The City of New York

Defendants.

CV 15

5609

I. Previous Lawsuits:

A. Have you begun other lawsuits in state or federal court
dealing with the same facts involved in this action or
otherwise relating to your imprisonment? Yes () No ☒

B. If your answer to A is yes, describe each lawsuit in the space below
(If there is more than one lawsuit, describe the additional lawsuits
on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs:

Defendants:

~~_____~~
~~_____~~
~~_____~~

2. Court (if federal court, name the district;
if state court, name the county)

3. Docket Number: _____

4. Name of the Judge to whom case was assigned: _____

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: Rikers Island

A. Is there a prisoner grievance procedure in this institution? Yes () No ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No ()

C. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not Not applicable

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes () No ()

F. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Robert Anton Williams JR.
Address 18-18 Hazen Street East Elmhurst, Ny 11370

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

Detective Nirma Quinones
Shield # 3310
653 Grand Ave Brooklyn, Ny (BSVU)

Defendant No. 2

Detective Hector Bruno
653 Grand Ave
Brooklyn, Ny (BSVU)

Defendant No. 3

Sgt. Smolarsky
653 Grand Ave
Brooklyn Ny (BSVU)

Defendant No. 4

The State of New York

Defendant No. 5

The City of New York

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

I was falsely arrested on April 25th 2013,
under indictment # 03537/2013 for
violation of N.Y. Penal law § 120.10 (Assault
in the first degree) by Detective Ninera
Quinones shield # 3310, Detective Hector
Bruno and Sgt. Smolarsky
(See Additional Sheet)

IV.A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Limited life opportunities

Emotional Distress, incarceration

Depression

Harassment

Discrimination in housing and employment

Fear and Paranoia from threats

Life & liberty interest severely altered

Mental Anguish

Defamation of character

(Additional Statement of Claim Sheet)

- ① Each Defendant (working together as a team see p. 32) did intend to confine Robert Williams (See p. 52 and Complaint - Follow up Informational Report)
- ② I was confined and conscious of the confinement but did not consent by repeatedly asking to leave. (See p. 284)
- ③ The confinement was not privileged.
 - A asking to leave (p. 284)
 - B asking for legal counsel (p. 283, 284, 285)
 - C Custody was based on deception of cases, the inciting case being without probable cause. (p. 270, 271, 277, 278, 279 and Division of Criminal Justice Services sheet)

I want to bring a Monell claim pursuant to *Monell v. The Department of Social Services of the city of New York* 436 U.S. 658, 692 (1978) against The City of New York and the State of New York for allowing and supporting these claims. 8th and 14th Amendment Rights were violated by all defendants engaged in a policy, custom or practice having the practical effect of the force of law. Each defendant's personal involvement directly resulted in these injuries and were committed without due process of law.

V. Relief:

State what relief you are seeking if you prevail on your complaint.

Financial Compensation \$20,000,000

I declare under penalty of perjury that on 9/16/15, I delivered this
(Date)
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.


Signed this 16th day of September, 2015. I declare under penalty of
perjury that the foregoing is true and correct.

Robert Wilkins
Signature of Plaintiff

Anna M. Cross Center
Name of Prison Facility

18-18 Hazen Street East Elmhurst, NY
Address
11370

141-13-05027
Prisoner ID#

 COMPLAINT - FOLLOW UP INFORMATIONAL REPORT - GENERAL INVESTIGATION				Crime/Condition SEX CRIMES		Command 083-83RD PRECINCT Date of This Report 04/24/2013	
Date of UF61 04/15/2013		Date Case Assigned 04/15/2013		Complaint No. 2013-083-01215		Case No. 2013 - 4	
				Unit Reporting BROOKLYN SPECIAL VICTIM		Follow-Up No. 95	
Complainant's Name [REDACTED]							
Nickname/Alias/Middle Name [REDACTED]							
Sex FEMALE		Race WHITE HISPANIC		Date of Birth [REDACTED]		Age 35	
Home Telephone [REDACTED]		Business Telephone [REDACTED]		Cell Phone [REDACTED]		Beeper # [REDACTED]	
E-Mail Address [REDACTED]							
Person Interviewed Last Name, First M.I. ODONNELL SGT SOMU				Address [REDACTED]			
Nickname/Alias/Middle Name [REDACTED]				Apt No. [REDACTED]			
Position/Relationship [REDACTED]		Sex FEMALE		Race [REDACTED]		Date of Birth [REDACTED]	
Home Telephone [REDACTED]		Business Telephone [REDACTED]		Cell Phone [REDACTED]		Beeper # [REDACTED]	
E-Mail Address [REDACTED]							
Activity Address Location OFFICE				Street [REDACTED]		City [REDACTED]	
Cross Street [REDACTED]				State [REDACTED]		Zip [REDACTED]	
Intersection of and [REDACTED]				Premise Type [REDACTED]			
Activity Date 04/23/2013				Activity Time 00:00			
Topic/Subject: CONFERRAL WITH SOMU SGT O'DONNELL-RE- SEX OFFENDER ID # 33193 WILLIAMS.							
Summary of Investigation: 1. ON 04/23, AT APPROX 11:16 HRS. THE UNDERSIGN PLACED A CAL TO SOMU SGT O'DONNELL. THIS CONFERRAL IS TO REQUEST ASSISTANCE IN OBTAINING SUBJECT WILLIAMS, ROBERT DNA AND OR ABANDONMENT SAMPLE TO BE COMPARE TO THE EVIDENCE IN THIS INVESTIGATION. WE AGREE TO ATTEMPT TO OBTAIN DNA FOR TOMORROW 2. SUBJECT WILLIAMS DNA PROFILE IS NOT IN THE NEW YORK DATA BASE, SUBJECT WILLIAMS IS A OUT OF STATE SEX OFFENDER. SEX OFFENDER # 33193 3. SUBJECT WILLIAMS WAS ARRESTED BY DET KENNY 83 PDU FOR LARCENY - ARREST # K13620936 ON 03/07/2013. 4. FOR YOUR INFORMATION. 5. CASE ACTIVE.							
Reporting Officer: [REDACTED]		Rank DT2		Name NIURCA QUINONES		Tax Reg. No. [REDACTED]	
Command 305-BROOKLYN DETECTIVE AREA SEX CRIMES SQUAD		Supv. Tax No. [REDACTED]		Reviewing Supervisor: [REDACTED]		Manner of Closing [REDACTED]	
Date Reviewed 04/24/2013		Date of Next Review [REDACTED]		Name CRINELA IANAS		Supv. Tax No. [REDACTED]	

1 SUPREME COURT OF THE STATE OF NEW YORK
2 COUNTY OF KINGS : CRIMINAL TERM : PART 14
3 -----x
4 THE PEOPLE OF THE STATE OF NEW YORK

5 -against-

6 ROBERT WILLIAMS,

7 DEFENDANT.

8 -----x
9 Indict. No. 3537/2013 320 Jay Street
10 HUNTLEY/WADE/DUNAWAY HEARING Brooklyn, New York
11 April 20, 2015

12 B E F O R E :

13 HONORABLE DINEEN RIVIEZZO,

14 Justice.

15 A P P E A R A N C E S :

16 OFFICE OF KENNETH THOMPSON, ESQ.
17 DISTRICT ATTORNEY - KINGS COUNTY
18 RENAISSANCE PLAZA
19 BROOKLYN, NEW YORK 11201
20 BY: JAMILA CHA-JUA-LEE, ESQ.

21 -AND-

22 SAYI JEMMOTT, ESQ.

23 GREG ZENON, ESQ.
24 For the Defendant
25 30 Wall Street - 8th floor
New York, New York

ELLEN DOHERTY NERI, CSR, RPR, CRR
SCR - SUPREME COURT, KINGS COUNTY

1 She noticed his eyes.

2 He had very distinctive eyes.

3 THE COURT: "Distinctive eyes" you said?

4 THE WITNESS: Uh-huh.

5 Q Now, I am going to direct your attention to that
6 same date, April 24th of 2013, at approximately
7 7:50 p.m.

8 Can you tell me where you were?

9 A May I look at my DD5s.

10 Q Yes.

11 THE COURT: Yes.

12 THE WITNESS: Thank you.

13 (Witness perusing.)

14 A Ask the question again, please.

15 Q At approximately 7:50 p.m., where are you?

16 A I'm still with the 8-3 Precinct.

17 Q And who, if anyone, is with you at that time?

18 A Ms. Arroyo, Sergeant Smolarsky and Detective
19 Bruno.

20 Q Why are you together?

21 A He's my sergeant.

22 And he's my partner at the time.

23 We were a team.

24 Q And on that date, did you have an opportunity to
25 conduct an identification procedure?

1 MR. ZENON: Yes, your Honor.

2 THE COURT: Okay.

3 MR. ZENON: Thank you.

4 THE COURT: Go ahead.

5 I don't remember what the question was. Why
6 don't you ask it again.

7 BY MS. CHA-JUA-LEE (CONT'G):

8 Q Detective, taking a look at the photo array
9 report, can you tell us what the search -- what search
10 criteria was used to generate this photo array?

11 A Search criteria used: 26 to 30 years of age;
12 black hair; race, black; sex, male.

13 Q Now, Detective, after Ms. Arroyo viewed this
14 photo array what, if anything, did you do at this time?

15 A We went to the residence of Robert Williams.

16 Q And where was that located?

17 A May I look at my?

18 THE COURT: Yes.

19 A I'm looking at the arrest report.

20 In regards to 61 Number 1215 in the confines
21 of the 8-3.

22 Okay.

23 That was at 1272 Decatur Street in Brooklyn,
24 apartment 2-L.

25 Q And upon arriving at 1272 Decatur Street,

DIRECT - WILLIAMS - ZENON

1 11:00. 10:00 a.m. is usually when I left. It takes about an
2 hour, a little more than an hour.

3 Q Did you drive or take public transportation?

4 A Public transportation.

5 Q What time that day did you get to work?

6 A A little bit before 11:00 because I started at 11:00
7 so around 10:45.

8 Q How many hours did you work that day?

9 A I remember getting off about 8:00 in the evening. I
10 worked about nine hours.

11 Q Was it busy that day?

12 A No, no, not that day it wasn't particularly busy.

13 Q After work, what did you do?

14 A After work I took public transportation to get back
15 home. I got home around 9:00 p.m., 8:30, 9:00 p.m.,
16 something like that, and I spoke to my girlfriend and we sat
17 and talked for about 15 minutes about our days. And then I
18 went to take a shower.

19 Q What, if anything, happened at that point?

20 A At that point, I came outside of the bathroom and I
21 noticed three people, aside from my girlfriend, in the
22 apartment in the living area. There is kind of like a
23 kitchen.

24 And my girlfriend told me these people were
25 from the registry. Then Detective Quinones, as I know her

DIRECT - WILLIAMS - ZENON

1 now, said we are here from the Sex Offender Monitoring Unit
2 and we have a few questions for you, you have not registered,
3 could you come in and talk to us.

4 Q Did you know what she was talking about?

5 A I did.

6 Q What was the situation, could you describe it,
7 please?

8 A Yes. From the very beginning?

9 Q From your time in New York.

10 A From my time in New York? I moved to New York in
11 2009 to go to school. I received a call from my lawyer at
12 the time. Her name is Carol Sager (phonetic spelling). She
13 said that you are required to register as a sex offender but
14 I don't believe you have to here in New York.

15 This is the first mention of sex offender
16 registry in New York that I have known of. So, for three and
17 a half years I had court dates about my registrability, if I
18 was required to or not. So, for three and a half years I
19 went back and forth to court. I was unsure if I was required
20 to register.

21 However, Carol Sager, my lawyer told me that if
22 you have any police contact or any run-ins with the law to
23 comply because you will make the situation worse. So, 2009,
24 2010, 2011, I had different incidents with the police
25 regarding my registry. Sometimes, there would be issues in

DIRECT - WILLIAMS - ZENON

1 the area, rapes or gropings, and I would be questioned
2 randomly. Sometimes, I was threatened by the police to come
3 in and register and if I didn't register I would be
4 arrested.

5 This happened often. So, when the detectives,
6 Detective Quinones, Sergeant Simalarski and Detective Bruno
7 came in and questioned me about the registry, this was just a
8 little bit more than routine.

9 Q Had you ever seen any of these three people before?

10 A Never.

11 Q Other than letting you know they were there about
12 the situations regarding the registry, did they say they were
13 there for any other reason whatsoever?

14 A No.

15 Q Did any of them have their --

16 Did any of them have any identification on them
17 that you realized that they were police?

18 A Yes, all three of them had badges on their belts.

19 Most of them were dressed in suits jacket, suits.

20 Q Did any of them have their guns drawn?

21 A Drawn, no. But visible, yes.

22 Q How much time did they spend with you at the house?

23 A At the home they came in and they told me they were
24 there for the registry and they wanted me to get dressed
25 because I just came out of the shower. I had on a shirt and

DIRECT - WILLIAMS - ZENON

1 A I complied. I said sure. Then she asked me to sign
2 Miranda rights.

3 Q What were the circumstances under which she asked
4 you to sign Miranda rights?

5 A It was merely about talking about the sex offender
6 registry and that I did not register.

7 Q When you say that could you explain the context of
8 the conversation you had with her?

9 A So, at the beginning they said they were there for
10 the sex -- from the Sex Offender Monitoring Unit and they
11 wanted to speak with me about not registering. And they
12 asked if I knew it was illegal that I wasn't registering.
13 And I replied I am not sure if it is.

14 So, we left. When we got to the police station
15 they reminded me they were part of the SOMU and we are here
16 to talk about me not registering. They wanted to know if I
17 was going to comply with registering. I said, sure, if I am
18 complied to register I have no problem, saying why I didn't
19 register, the situation, and what is going on in court.

20 Q Did you tell them you had a current pending case?

21 A Yes.

22 Q Did you tell them you had an attorney, Carol Sager?

23 A Yes.

24 Q What did they say?

25 A They didn't reply.

DIRECT - WILLIAMS - ZENON

1 Q What did they do? What happened next?

2 A So, I signed the Miranda rights, the Miranda
3 warnings sheet. Detective Quinones went down each question
4 with me. I initialed. I didn't see any problems with it
5 because we are talking about the registry and I wanted to
6 comply.

7 Q When you signed that Miranda, was there any
8 understanding between you and the police about you talking
9 about anything other than sex offender registration?

10 A Absolutely not.

11 Q Did they ever talk about cases, open cases, against
12 you?

13 A Eventually, yes.

14 Q During that Miranda phase?

15 A During the Miranda rights they never talked about
16 any other issues.

17 Q Did they tell you they were investigating any open
18 cases at that point?

19 A No.

20 Q Did they tell you you would be questioned about any
21 open cases at that point?

22 A No, they did not.

23 Q It was your understanding, when you signed it, the
24 only reason you were signing it and the only purpose was to
25 talk about sex offender registration?

DIRECT - WILLIAMS - ZENON

1 A That is true.

2 THE COURT: Is this a good place to stop? You
3 said you wanted to stop at 12:30, right?

4 MR. ZENON: Yes, please.

5 THE COURT: Okay, 2:15.

6 MR. ZENON: Thank you.

7 THE COURT: Thank you.

8 (Whereupon, a lunch recess was taken at this
9 time.)

10 (Whereupon, the Witness retook the witness
11 stand at this time.)

12 THE COURT: You are reminded that you are still
13 under oath.

14 THE WITNESS: All right.

15 THE COURT: Go ahead.

16 MR. ZENON: Thank you, Your Honor.

17 CONTINUED DIRECT EXAMINATION

18 BY MR. ZENON:

19 Q Mr. Williams, before we broke off I had asked you
20 about the nature of the Miranda warnings that you signed. I
21 believe you explained them with an express understanding; is
22 that correct?

23 A That's correct.

24 Q What was the express understanding?

25 A The express understanding was that I was signing the

DIRECT - WILLIAMS - ZENON

1 A I said I don't know anything about an investigation,
2 I don't want to speak. I said that because my lawyer, Carol
3 Shager, warned me that when I was telling her about previous
4 police involvement, and how police would stop and ask me
5 questions, if anyone wanted to ask me anything about an
6 investigation anything outside of the sex offender registry
7 and not the Sex Offender Monitoring Unit, to call her
8 immediately.

9 Q So what did you say to Quinones?

10 A At that time, I told her that I don't know anything
11 about an investigation. I don't want to talk to you about
12 any investigation, I would like to speak to my lawyer.

13 Q What did Quinones say?

14 A Nothing.

15 Q What happened next?

16 A After I told her I didn't want to speak, she didn't
17 respond. Then she started to go into details about what
18 happened. In one of the cases she told me that a woman had
19 been attacked and that she had been assaulted, and did I know
20 anything about it. I said, once again, I don't know anything
21 about it, I don't want to talk to you, I want to speak to my
22 lawyer.

23 Q What happened next?

24 A She continued to ask me about different crimes in
25 the area including rapes in the area. And she was asking did

DIRECT - WILLIAMS - ZENON

1 I know anything about that. I said, no, I don't know
2 anything about anything you are talking about, I would like
3 to speak to my lawyer.

4 She went on and asked me, in succession, about
5 different crimes in the area. I know nothing about this. I
6 asked her if I was under arrest. She didn't say anything. I
7 said I would like to leave. She still didn't say anything.

8 Q Then what happened?

9 A She continued to ask the same questions in order.
10 Then she started to go into detail about specific crimes.

11 Q Do you remember any of these details?

12 A Yes, I remember all of the details now, yes.

13 Q What do you remember her telling you?

14 A I remember her telling me about these -- about
15 three woman being attacked in Brooklyn. And that someone had
16 followed them. And she gave me the addresses or cross
17 streets. I remember Grove Street. I remember St. Nicholas
18 Street. I remember her saying something about Wyckoff.

19 And she said they had been followed. And, in a
20 few cases, these women had been raped. In a few cases, the
21 women had been assaulted. She went on to just give more
22 details, more and more details, about what happened.

23 Q While this conversation was going on, what were you
24 saying?

25 A Nothing. I told her, again, I didn't know anything

DIRECT - WILLIAMS - ZENON

1 about any of these crimes and that I wanted to speak to my
2 lawyer, am I free to leave. She never responded. So, after
3 that went on for about two or three hours I realized that she
4 wasn't listening so I didn't say anything for hours. And she
5 still talked to me about these cases.

6 Q How long did she spend communicating with you that
7 evening?

8 A The first night we started speaking about these
9 issues about 10:00. She started with the issue about 10:00
10 p.m.. She didn't stop for more than ten or fifteen minutes
11 until about 5:00 a.m.

12 I would like to go back if I can. Before I sat
13 down and signed the Miranda sheet and the Sex Offender
14 Registry Sheet Detective Bruno stepped in, while waiting to
15 be questioned, and he asked for my phone. He said he wanted
16 to confiscate it for security reasons and I complied. So, he
17 had my phone.

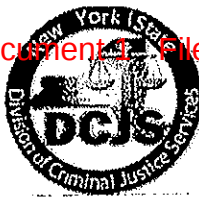
18 If he had not taken the phone, as soon as he
19 asked me about the registry I would have called my lawyer. I
20 still had my phone when I entered into the interview room.

21 Q So, you say that Quinones interrogated you from
22 about 10:00 p.m. until about 5:00 a.m.?

23 A Yes.

24 Q Okay?

25 A After she stated that I was a suspect in about five



State of New York
Division of Criminal Justice Services
80 South Swan St
Albany, NY 12210

Date: June 13, 2013

ROBERT A WILLIAMS, 1411305027
NYC DOCS Otis Bantum Correctional Center (OBCC)
16 00 Hazen Street
East Elmhurst, NY 11370

Re: ROBERT A WILLIAMS

Offender Id: 33193

Crime of Conviction: OUT 000000000 000000 U-F 0 Non-NYS Felony Sex Offense

Date of Conviction: April 24, 2008

Court of Conviction:

This is to advise you that you are no longer registered as a sex offender on the New York State Sex Offender Registry for the reason indicated below. You were subsequently determined to not be registerable as a sex offender based on the above stated conviction and accordingly, are not subject to the terms and the conditions of the Sex Offender Registration Act.

Thank you for your assistance in this matter. Please contact us at (518) 457-3167 if you need further information.

Reason for Removal:

NO LONGER STANDS CONVICTED OF A REGISTERABLE OFFENSE

NYS Sex Offender Registry